

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ulrich Köerner

Serial No.: 10/520,045

For: EXTENSION SYSTEM FOR PRODUCING A PLASTIC PLATE
WITH ANCHOR KNOBS

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TRANSMITTAL OF TRANSLATION OF INTERNATIONAL
PRELIMINARY EXAMINATION REPORT (IPER)

Transmitted herewith are the following documents pertaining to the above-identified application:

X Translation of the IPER

May 10, 2005

Date

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CERTIFICATE OF MAILING

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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

| | | |
|--|---|---|
| Applicant's or agent's file reference G 1513 PCT | FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) | |
| International application No. PCT/EP2003/007115 | International filing date (day/month/year) 03 July 2003 (03.07.2003) | Priority date (day/month/year) 03 July 2002 (03.07.2002) |
| International Patent Classification (IPC) or national classification and IPC B29C 43/22 | | |
| Applicant | KÖRNER, Ulrich | |

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I Basis of the report
- II Priority
- III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV Lack of unity of invention
- V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI Certain documents cited
- VII Certain defects in the international application
- VIII Certain observations on the international application

| | |
|--|---|
| Date of submission of the demand 19 January 2004 (19.01.2004) | Date of completion of this report 04 October 2004 (04.10.2004) |
| Name and mailing address of the IPEA/EP Facsimile No. | Authorized officer Telephone No. |

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2003/007115

I. Basis of the report

1. With regard to the elements of the international application:^{*} the international application as originally filed the description:

pages _____, 1-16, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

 the claims:

pages _____, 1-34, as originally filed

pages _____, as amended (together with any statement under Article 19)

pages _____, filed with the demand

pages _____, filed with the letter of _____

 the drawings:

pages _____, 1/6-6/6, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

 the sequence listing part of the description:

pages _____, as originally filed

pages _____, filed with the demand

pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

 the language of a translation furnished for the purposes of international search (under Rule 23.1(b)). the language of publication of the international application (under Rule 48.3(b)). the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

 contained in the international application in written form. filed together with the international application in computer readable form. furnished subsequently to this Authority in written form. furnished subsequently to this Authority in computer readable form. The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished. The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. The amendments have resulted in the cancellation of: the description, pages _____ the claims, Nos. _____ the drawings, sheets/fig _____5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).^{**}

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.
PCT/EP 03/07115

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|-------------------------------|--------|--------|-----|
| Novelty (N) | Claims | 1-32 | YES |
| | Claims | 33, 34 | NO |
| Inventive step (IS) | Claims | 1-32 | YES |
| | Claims | 33, 34 | NO |
| Industrial applicability (IA) | Claims | 1-34 | YES |
| | Claims | | NO |

2. Citations and explanations

1. Document EP-A-960710 (D1), which discloses a device for producing plastics plates having projections on one side, is the prior art closest to the device of claim 1.

The problem to be solved by the device described in document D1 is that of making it possible to unmould the projections without damage thereto. This is achieved by moving the moulding/umoulding strips outward, the movement being controlled by hydraulic or pneumatic cylinders.

The present application has the same object (see, for example, page 5, lines 1-10). This is accomplished by the subject matter of claim 1, which differs from document D1 in that the projections are unmoulded by opening the moulding strips along the curved section of the continuously moving device.

The problem to be solved by the subject matter of claim 1 is that of providing an alternative device which in a simple manner achieves the same result as document D1.

The solution claimed in claim 1 is not disclosed or suggested in the prior art. Consequently, the subject matter of claim 1 meets the requirements for novelty and inventive step of PCT Article 33.

2. Claims 29 and 31 claim methods using the device according to claim 1. The subject matter of these claims therefore meets the requirements of PCT Article 33 for the reasons given under item 1.
3. Claims 2 to 28 are dependent on claim 1. Claim 30 is dependent on claim 29, and claims 32 on claim 31. Consequently, they likewise meet the requirements of PCT Article 33.
4. The products of claims 33 and 34 are characterized only by the method of production and production device. A product can be considered novel and inventive only if it is characterized by novel and inventive features. It is not considered novel and inventive if it is merely produced using a novel and inventive method or a novel and inventive device. Document D1 discloses a plastics plate having projections (see paragraph [0015]). Therefore, the subject matter of claims 33 and 34 is therefore not novel.
5. The subject matter of claims 31 and 32 is already contained in claim 29.

Therefore, the subject matter of these claims does not meet the requirements of PCT Article 6.